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Attorneys for Defendants

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

ALTAMAHA RIVERKEEPER and
ONE HUNDRED MILES,

Plaintiffs,

V.

UNITED STATES ARMY CORPS OF
ENGINEERS, et al.,

Defendants,

SEA ISLAND ACQUISITION, LLC,

Intervenors.

and

CENTER FOR A SUSTAINABLE COAST, INC.,

Plaintiff,

V.

UNITED STATES ARMY CORPS OF
ENGINEERS, et al.,

Defendants,

Case Nos. 4:18-cv-00251-JRH-JEG and
4:18-cv-00254-JRH-JEG

MOTION FOR A STAY OF CASE IN LIGHT OF LAPSE OF APPROPRIATIONS

SEA ISLAND ACQUISITION, LLC,

Intervenors

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**MOTION FOR A STAY OF CASE
IN LIGHT OF LAPSE OF APPROPRIATIONS**

The United States of America hereby moves for a stay of the entire case in the above-captioned case.

1. At the end of the day on December 21, 2018, the appropriations act that had been funding the Department of Justice expired and appropriations to the Department lapsed. The Department does not know when funding will be restored by Congress.

2. Absent an appropriation, Department of Justice attorneys are prohibited from working, even on a voluntary basis, except in very limited circumstances, including “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342.

3. Undersigned counsel for the Department of Justice therefore requests a stay of the entire case until Congress has restored appropriations to the Department.

4. If this motion for a stay is granted, undersigned counsel will notify the Court as soon as Congress has appropriated funds for the Department. The Government requests that, at that point, all current deadlines for the parties be extended commensurate with the duration of the lapse in appropriations.

5. Opposing counsel for Altahama Riverkeeper and One Hundred Miles takes no position on the motion. Despite several attempts to contact opposing counsel for Center for a Sustainable Coast, Federal Defendants’ counsel has not received a response from opposing counsel regarding its position on the motion. Defendant Intervenors consent to the motion.

6. Therefore, although we greatly regret any disruption caused to the Court and the other litigants, the Government hereby moves for a stay of this case until Department of Justice attorneys are permitted to resume their usual civil litigation functions.

Respectfully submitted December 31, 2018
by

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Of Counsel
JOHN E. BALLARD
Assistant District Counsel
United States Army Corps of Engineers

s/ Dedra S. Curteman
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CERTIFICATE OF SERVICE

I certify that on December 31, 2018, I electronically filed the foregoing Motion for a Stay of Case in Light of Lapse of Appropriations with the Clerk of Court using the CM/ECF system.

s/ Dedra S. Curteman